

U.S. Army Corps of Engineers South Pacific Division



Nationwide Permit Pre-Construction Notification (PCN) Form

This form integrates requirements of the Nationwide Permit Program within SPD, including General and Regional Conditions. Please consult instructions prior to completing this form.

Box 1 Project Name		Applicant Name	
Applicant Title		Applicant Company, Agency, etc.	
Mailing Address			
Work Phone with area code	Home Phone with area code	Fax #	E-mail Address
Relationship of applicant to property: <input type="checkbox"/> Owner <input type="checkbox"/> Purchaser <input type="checkbox"/> Lessee <input type="checkbox"/> Other:			
Application is hereby made for verification that subject regulated activities associated with subject project qualify for authorization under a Corps nationwide permit or permits as described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agency to which this application is made, the right to enter the above-described location to inspect the proposed, in-progress or completed work. I agree to start work <u>only</u> after all necessary permits have been received.			
Signature of applicant			Date (m/d/yyyy)

Box 2 Authorized Agent/Operator Name and Signature <i>(If an agent is acting for the applicant during the permit process)</i>			
Agent/Operator Title		Agent/Operator Company, Agency, etc.	
Mailing Address			
E-mail Address			
Work Phone with area code	Home Phone with area code	Fax #	Cell Phone #
I hereby authorize the above named authorized agent to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application. I understand that I am bound by the actions of my agent and I understand that if a federal or state permit is issued, I, or my agent, must sign the permit.			
Signature of applicant			Date (m/d/yyyy)
I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate.			
Signature of authorized agent			Date (m/d/yyyy)

Box 3 Name of property owner(s), if other than applicant:	
Owner Title	Owner Company, Agency, etc.
Mailing Address	
Work Phone	Home Phone

Box 4 Name of contractor(s) (if known):	
Contractor Title	Contractor Company, Agency, etc.
Mailing Address	
Work Phone	Home Phone

Include multiple copies of Box 5 for separate sites.

Box 5 Site Number __ of __. Project location(s), including street address, city, county, state, zip code where proposed activity will occur:	
Waterbody (if known, otherwise enter "an unnamed tributary to"):	
Tributary to what known, downstream waterbody:	
Latitude & longitude (D/M/S, DD, or UTM):	Zoning Designation (no codes or abbreviations):
Assessors parcel number:	Section, Township, Range:
USGS Quad map name:	
Watershed and other location descriptions, if known:	
Directions to the project location:	
Nature of Activity (Description of project, include all features, see instructions):	
Project Purpose (Description the reason or purpose of the project, see instructions):	

Use Box 6 if dredged and/or fill material is to be discharged:

Box 6 Reason(s) for Discharge into waters of the United States:

Type(s) of material being discharged and the amount of each type in cubic yards:

Total surface area in acres of wetlands or other waters of the U.S. filled (see instructions):

Indicate in ACRES and LINEAR FEET (where appropriate) the proposed **waters of the United States** to be impacted, and identify the impact(s) as permanent and/or temporary for each water body type listed below:

Water Body Type	Permanent		Temporary	
	Acres	Linear feet	Acres	Linear feet
Wetland				
Riparian streambed				
Unveg. streambed				
Lake				
Ocean				
Other				
Total:				

Required drawings (see instructions):

Vicinity map: ☐ Attached (or mail copy separately if applying electronically)

To-scale Plan view drawing(s): ☐ Attached (or mail copy separately if applying electronically)

To-scale elevation and/or Cross Section drawing(s): ☐ Attached (or mail copy separately if applying electronically)

Has a wetlands/waters of the U.S. delineation been completed?

☐ Yes, Attached (or mail copy separately if applying electronically) ☐ No

If a delineation has been completed, has it been verified in writing by the Corps?

☐ Yes, Date of approved jurisdictional determination (m/d/yyyy): Corps file number: ☐ No

Please attach¹ one or more color photographs of the existing conditions (aerials if possible).

¹or mail copy separately if applying electronically

Dredge Volume: Indicate in CUBIC YARDS the proposed waters of the United States:

Indicate type(s) of material proposed to be discharged in waters of the United States:

For proposed discharges of dredged material into waters of the U.S. (including beach nourishment), please attach² a proposed Sampling and Analysis Plan (SAP) prepared according to Inland Testing Manual (ITM) guidelines (including Tier I information, if available).

²or mail copy separately if applying electronically

Is any portion of the work already complete? ☐ YES ☐ NO

If yes, describe the work:

Box 7 Intended NWP permit number³:
Intended NWP permit number (2nd):
Intended NWP number (3rd):

³Enter the intended permit type(s). See NWP regulations for permit types and qualification information (<http://www.spl.usace.army.mil/regulatory/2002NWPs.pdf>).

Box 8 Authority:

Is Section 10 of the Rivers and Harbors Act applicable?: ☐ YES ☐ NO

Is Section 404 of the Clean Water Act applicable?: ☐ YES ☐ NO

Box 9 List of other certifications or approvals/denials received from other federal, state, or local agencies for work described in this application:

Agency	Type Approval ⁴	Identification No.	Date Applied	Date Approved	Date Denied
--------	----------------------------	--------------------	--------------	---------------	-------------

⁴Would include but is not restricted to zoning, building, and flood plain permits

Box 10 Is the discharge of fill or dredged material for which Section 10/404 authorization is sought part of a larger plan of development?: ☐ YES ☐ NO

If discharge of fill or dredged material is part of development, name and proposed schedule for that larger development (start-up, duration, and completion dates):

Location of larger development (If discharge of fill or dredged material is part of a plan of development, a map of suitable quality and detail of the entire project site should be included):

Total area in acres of entire project area (including larger plan of development, where applicable):

Box 11 Threatened or Endangered Species

Please list any federally-listed (or proposed) threatened or endangered species or critical habitat within the project area (use scientific names (e.g., Genus species), if known):

- | | |
|----|----|
| a. | b. |
| c. | d. |
| e. | f. |

Have surveys, using U.S. Fish and Wildlife Service/NOAA Fisheries protocols, been conducted?

☐ Yes, Report attached (or mail copy separately if applying electronically) ☐ No

If a federally-listed species would be impacted, please provide a description and a biological evaluation.

☐ Yes, Report attached (or mail copy separately if applying electronically) ☐ Not attached

Has the USFWS/NOAA Fisheries issued a Biological Opinion?

☐ Yes, Attached (or mail copy separately if applying electronically) ☐ No

If yes, list date Opinion was issued (m/d/yyyy):

Has Section 7 consultation been initiated by another federal agency?

☐ Yes, Initiation letter attached (or mail copy separately if applying electronically) ☐ No

Has Section 10 consultation been initiated for the proposed project?

☐ Yes, Initiation letter attached (or mail copy separately if applying electronically) ☐ No

Box 12 Historic properties and cultural resources:

Please list any historic properties listed (or eligible to be listed) on the National Register of Historic Places:

- | | |
|----|----|
| a. | b. |
| c. | d. |
| e. | f. |

Are any cultural resources of any type known to exist on-site?

☐ Yes ☐ No

Has an archaeological records search been conducted?

☐ Yes, Report attached (or mail copy separately if applying electronically) ☐ No

Has a archaeological pedestrian survey been conducted for the site?

☐ Yes, Report attached (or mail copy separately if applying electronically) ☐ No

Has a Section 106 MOA been signed by another federal agency and the SHPO?

☐ Yes, Attached (or mail copy separately if applying electronically) ☐ No

If yes, list date MOA was signed (m/d/yyyy):

Has Section 106 consultation been initiated by another federal agency?

☐ Yes, Initiation letter attached (or mail copy separately if applying electronically) ☐ No

Include multiple copies of Box 13 for separate sites.

Box 13 Proposed Compensatory Mitigation (site ___ of ___) related to fill/excavation and dredge activities. Indicate in ACRES and LINEAR FEET (where appropriate) the total quantity of waters of the United States proposed to be created, restored, enhanced and/or preserved for purposes of providing compensatory mitigation. Indicate water body type (wetland, riparian streambed, unvegetated streambed, lake, ocean, other) or non-jurisdictional (uplands⁵). Indicate mitigation type (on- or off-site by applicant, mitigation bank, in-lieu fee agreement):

Water Body Type	Created	Restored	Enhanced	Preserved	Mitigation type
Example: wetland	0.8	0.2	-	-	On-site by app
Example: riparian stream	-	-	3.0	-	ILFA
Totals:					

⁵ For uplands, please indicate if designed as an upland buffer.

If no mitigation is proposed, provide detailed explanation of why no mitigation would be necessary:

Has a draft/conceptual mitigation plan been prepared in accordance with the Army Corps of Engineers District guidelines? ☐ Yes, Attached (or mail copy separately if applying electronically) ☐ No

Mitigation site latitude & longitude (D/M/S, DD, or UTM):	USGS Quad map name:
Assessors parcel number:	Section, Township, Range, USGS Quadrangle Map, Latitude/Longitude:
Other location descriptions, if known:	
Directions to the mitigation location:	

Box 14 Water Quality Certification (see instructions):Applying for certification? ☐ Yes, Attached (or mail copy separately if applying electronically) ☐ NoCertification issued? ☐ Yes, Attached (or mail copy separately if applying electronically) ☐ NoExempt? ☐ Yes ☐ NoIf exempt, state why: Agency concurrence? ☐ Yes, Attached ☐ No**Box 15 Coastal Zone Management Act** (see instructions):Is the project located within the Coastal Zone? ☐ Yes ☐ No

If yes, applying for a coastal commission-approved Coastal Development Permit?

☐ Yes, Attached (or mail copy separately if applying electronically) ☐ No

If no, applying for separate CZMA-consistency certification?

☐ Yes, Attached (or mail copy separately if applying electronically) ☐ NoPermit/Consistency issued? ☐ Yes, Attached (or mail copy separately if applying electronically) ☐ NoExempt? ☐ Yes ☐ No

If exempt, state why:

NWP General conditions (GC) checklist:**1. Navigation:**Project would be in compliance with GC? ☐ Yes ☐ No**2. Proper Maintenance:**Project would be in compliance with GC? ☐ Yes ☐ No**3. Erosion and Siltation Controls:**Project would be in compliance with GC? ☐ Yes ☐ No**4. Aquatic Life Movements:**Project would be in compliance with GC? ☐ Yes ☐ No**5. Equipment:**Project would be in compliance with GC? ☐ Yes ☐ No**6. Regional and Case-by-Case Conditions:**

Complete the Regional Conditions checklist below.

Project would be in compliance with any Case-by-case conditions? ☐ Yes ☐ No

7. Wild and Scenic Rivers:

Project would be in compliance with GC? ☐ Yes ☐ No

8. Tribal Rights:

Project would be in compliance with GC? ☐ Yes ☐ No

9. Water Quality (401 Certification): see Box 14 above.

10. Coastal Zone Permit: see Box 15 above.

11. Endangered Species: see Box 11 above.

12. Historic Properties: see Box 12 above.

13. Notification (*Check mark and provide those that apply*)

- ☐ NWP 7, 12, 14, 18, 21, 34, 38, 39, 40, 41, 42, and 43: Delineation
- ☐ NWP 7: Original Design Capacity & Configurations
- ☐ NWP 14: Compensatory Mitigation Proposal & written statement describing how temporary losses will be minimized to the maximum extent possible
- ☐ NWP 21: Office of Surface Mining or State-approved mitigation Plan
- ☐ NWP 27: Documentation of Prior Condition of Site
- ☐ NWP 29: Past use of NWP, statement of personal residence, parcel size description, land description
- ☐ NWP 31 (for repeat use): 5 year Maintenance Plan, baseline channel information, delineation, and disposal site information
- ☐ NWP 33: Restoration Plan
- ☐ NWP 39, 43, and 44: Written Statement on Avoidance and Minimization Measures
- ☐ NWP 39 and 42: Compensatory Mitigation Plan/Justifications of no plan
- ☐ NWP 40: Compensatory Mitigation Proposal
- ☐ NWP 43: Maintenance Plan (for new construction) and compensatory mitigation proposal
- ☐ NWP 44: Description of affected waters, minimization measures and reclamation plan
- ☐ NWPs 12, 14, 29, 39, 40, 42, 43, and 44: FEMA map, FEMA construction requirements and demonstration of FEMA compliance

14. Compliance Certification:

Applicant is aware of this post-construction requirement? ☐ Yes ☐ No

15. Use of Multiple Nationwide Permits:

Applicant is aware that if total proposed acreage of impact exceeds acreage limit of NWP with highest specified acreage, no NWP can be issued? ☐ Yes ☐ No

16. Water Supply Intakes:

Project would be in compliance with GC? ☐ Yes ☐ No

17. Shellfish Beds:

Shellfish beds present? ☐ Yes ☐ No

Project would be in compliance with GC? ☐ Yes ☐ No

18. Suitable Material:

Project would be in compliance with GC? ☐ Yes ☐ No

19. Mitigation:

Project would be in compliance with GC? ☐ Yes ☐ No

20. Spawning Areas :

Spawning areas present? ☐ Yes ☐ No

Project would be in compliance with GC? ☐ Yes ☐ No

21. Management of Water Flows:

Project would be in compliance with GC? ☐ Yes ☐ No

22. Adverse Effects From:

Project would be in compliance with GC? ☐ Yes ☐ No

23. Waterfowl Breeding Areas:

Waterfowl breeding areas present? ☐ Yes ☐ No

Project would be in compliance with GC? ☐ Yes ☐ No

24. Removal of Temporary Fills:

Project would be in compliance with GC? ☐ Yes ☐ No

25. Designated Critical Waters (*check mark those that apply*)

Includes:

- 1) ☐ NOAA designated marine sanctuaries,
- 2) ☐ National Wild and Scenic Rivers,
- 3) ☐ Critical habitat for Federally listed species,
- 4) ☐ Coral reefs,
- 5) ☐ State natural heritage sites,
- 6) ☐ Officially designated waters

Applicant is aware of the restrictions a) and b) below? ☐ Yes ☐ No

a) NWP 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, and 44 : No NWP can be issued (except in certain cases described in full text of GC#25).

b) NWP 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, and 38:
Notification required.

26. Fills within 100-Year Floodplains:

Project would be within 100-year floodplains? ☐ Yes ☐ No

If yes, project would be in compliance with restrictions a) and b) below? ☐ Yes ☐ No

a) Discharges Below Headwaters (*below point of 5 cfs*) resulting in permanent above-grade fills:

NWP 29, 39, 40, 42, 43, and 44: No NWP can be issued.

NWP 12 and 14: Notification required.

b) Discharges in Headwaters (*above point of 5 cfs*) resulting in permanent above-grade fills:

Flood Fringe

NWP 12, 14, 29, 39, 40, 42, 43, and 44: Notification required.

Floodway

NWP 29, 39, 40, 42, 43, and 44: No NWP can be issued.

NWP 12 and 14: Notification required.

27. Construction Period

Applicant is aware of requirements below? ☐ Yes ☐ No

Non-Reporting NWP: (Work must be completed within 1 year of expiration of NWP (March 19, 2007) if under contract to construct or in construction by the NWP expiration date)

Reporting NWP: (Work may be authorized beyond expiration of NWP (March 19, 2007) to facilitate project construction schedules)

List date work in waters of the U.S. completed (m/d/yyyy):

NWP-specific requirements checklist:

1. Nationwide 03 (case iii):

Evidence of damage (due to storm, flood, etc.) such as recent topographic surveys or photographs attached? ☐ Yes ☐ No

2. Nationwide 07:

NPDES permit or other proof of CWA Section 402 compliance attached? ☐ Yes ☐ No

3. Nationwides 13, 14, 18, 29, 39, 40, 42, 43, 44:

Activity/crossing must be part of a single and complete project.

Project would be in compliance with this requirement? ☐ Yes ☐ No

4. Nationwide 31:

As-built or approved engineering drawings for each structure attached? ☐ Yes ☐ No

5. Nationwide 40:

Documentation of an NRCS exemption, a NRCS-certified wetland delineation, and a NRCS-approved compensatory mitigation plan attached? ☐ Yes ☐ No

NWP Regional Conditions (RC) checklist:

Los Angeles District (SPL):

1. Is the project located within a coastal watershed from the southern reach of the Santa Monica Mountains in Los Angeles County to the San Luis Obispo County/Monterey County boundary? ☐ Yes ☐ No

If yes, then would the project meet the requirement that all road crossings must employ a bridge crossing design that ensures passage and/or spawning of steelhead is not hindered in any way (see full RC text)? ☐ Yes ☐ No

2. Is the project located within the State of Arizona or the Mojave and Sonoran (Colorado) desert regions of California in the Los Angeles District (generally north and east of the San Gabriel, San Bernardino, San Jacinto, and Santa Rosa mountain ranges, and south of Little Lake, Inyo County)? ☐ Yes ☐ No

If yes, no NWPs, except 1, 2, 3, 4, 5, 6, 9, 10, 11, 20, 22, 27, 30, 31, 32, 35, 37, and 38 (or other nationwide or regional general permits that specifically authorize maintenance of previously authorized structures or fill), can be used to authorize the discharge of dredged or fill material into a jurisdictional special aquatic site as defined by 40 CFR 230.40-45.

If yes, is applicant aware of restriction above? ☐ Yes ☐ No

3. Does NWP or Regional General Permit require prior notification (a PCN) be given to the District Engineer? ☐ Yes ☐ No

If yes, are the required color photographs or color photocopies of the project area taken from representative points documented on a site map included? ☐ Yes ☐ No

4. Is project located in a special aquatic site as defined by 40 CFR 230.40-45 or in a perennial watercourse or waterbody in the State of Arizona or in the Mojave or Sonoran (Colorado) desert regions of California? ☐ Yes ☐ No

If yes, notification pursuant to general condition #13 is required.

5. Is project located in an areas designated as Essential Fish Habitat? ☐ Yes ☐ No

If yes, notification pursuant to general condition #13 is required.

6. Is project located within a watershed in the Santa Monica Mountains in Los Angeles and Ventura counties bounded by Calleguas Creek on the west, by Highway 101 on the north and east, and by Sunset Boulevard and Pacific Ocean on the south?
- ☐ Yes ☐ No

If yes, notification pursuant to general condition #13 is required.

7. Would project impact jurisdictional vernal pools? ☐ Yes ☐ No

If yes, then an individual permit is required.

8. Is project within the Murrieta Creek and Temecula Creek watersheds in Riverside County and does it require new permanent fills in perennial and intermittent watercourses? ☐ Yes ☐ No

If yes, then projects which would otherwise be authorized under NWP's 39, 42, or 43, will require an individual permit.

Is project located in an ephemeral watercourse and is the impact greater than 0.1 acre? ☐ Yes ☐ No

If yes, then projects which would otherwise be authorized under NWP's 39, 42, or 43, will require an individual permit.

9. Is project in San Luis Obispo Creek or Santa Rosa Creek in San Luis Obispo County for bank stabilization projects; or and in Gaviota Creek, Mission Creek or Carpinteria Creek in Santa Barbara County for bank stabilization projects and grade control structures? ☐ Yes ☐ No

If yes, then an individual permit is required.

End of form

Instructions:

1) Box 5:

- a. **Nature of Activity:** Describe the overall activity or project. Give appropriate dimensions of structures such as wingwalls, dikes (identify the materials to be used in construction, as well as the methods by which the work is to be done), or excavations (length, width, and height). Indicate whether discharge of dredged or fill material is involved. Also, identify any structure to be constructed on a fill, piles, or float-supported platforms. The written descriptions and illustrations are an important part of the application. Please describe, in detail, what you wish to

do. If more space is needed, attach a separate sheet marked "Box 5 Nature of Activity."

- b. **Proposed Project Purpose:** Describe the purpose and need for the proposed project. What will it be used for and why? Also include a brief description of any related activities to be developed as the result of the proposed project.

2) Box 6:

- a. Corps jurisdiction consists of waters of the U.S. Waters of the U.S. are defined under 33 CFR part 329 as "navigable waters of the United States" and/or under 33 CFR part 328.3(a) as "waters of the United States." Under Section 404 of the Clean water Act, either the ordinary high water mark (non-tidal) or the high tide line (tidal), as well as any adjacent wetlands, demarcate waters of the U.S. Under Section 10 of the Rivers and Harbors Act, either the mean high water mark (tidal) or the ordinary high water mark (non-tidal), as well as any adjacent wetlands, demarcate waters of the U.S. Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (1987 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.
 - b. **Required drawings:** Submit one legible copy of all drawings (8 1/2 x 11-inch or 11 x 17-inch) with a 1-inch margin around the entire sheet. The title box shall contain the title of proposed activity, name of water body, county, city, date, and sheet number.
 - i. Vicinity map: Cover an area large enough so the project can be easily located, include arrow marking the project area, Identifiable land marks, name or number of roads, north arrow, and scale.
 - ii. Plan view: Include existing bank lines, ordinary high water mark line(s), average water depth around the activity, dimensions of the proposed project, dimensions of any structures immediately adjacent to the proposed activity, north arrow, scale.
 - iii. Elevation and/or cross-section views: water elevation as shown on plan view drawing, dimensions of the proposed project, dimensions of any structures immediately adjacent to the proposed activity, scale
- 3) **Box 14:** You may need State water quality certification from the appropriate state or tribal agency (e.g., Regional Water Quality Control Board for non-tribal California lands). You need not have obtained water quality certification before applying for a Corps nationwide permit verification.
- 4) **Box 15:** You may need a federal coastal consistency certification under the Coastal Zone Management Act from the appropriate state agency (e.g., California Coastal Commission for California Coastal Commission). You need not have obtained federal coastal consistency certification before applying for a Corps nationwide permit verification.